

SUPREME COURT OF THE UNITED STATES.

ALLOTMENT OF JUSTICES, MARCH 18, 1912.¹

ORDER: There having been an Associate Justice of this court appointed since the commencement of this term,

It is ordered that the following allotment be made of the Chief Justice and Associate Justices of this court among the circuits agreeably to the act of Congress in such case made and provided, and that such allotment be entered of record, viz.:

For the First Circuit, Oliver Wendell Holmes, Associate Justice.

For the Second Circuit, Charles E. Hughes, Associate Justice.

For the Third Circuit, Mahlon Pitney, Associate Justice.

For the Fourth Circuit, Edward D. White, Chief Justice.

For the Fifth Circuit, Joseph R. Lamar, Associate Justice.

For the Sixth Circuit, William R. Day, Associate Justice.

For the Seventh Circuit, Horace H. Lurton, Associate Justice.

For the Eighth Circuit, Willis Van Devanter, Associate Justice.

For the Ninth Circuit, Joseph McKenna, Associate Justice.

¹ For previous allotment see 222 U. S., p. iv.

SUPREME COURT OF THE UNITED STATES.

TUESDAY, OCTOBER 14, 1913.

At the opening of Court The Chief Justice said:

It is my sad duty to announce to the gentlemen of the bar the death last night of Mr. James H. McKenney, the clerk of this court. He was associated for more than 50 years with the work of the court, and the expression of our sorrow needs no elaboration. As a mark of respect to his memory the court will do no further business to-day, and will adjourn until to-morrow morning.

SUPREME COURT OF THE UNITED STATES.

MONDAY, OCTOBER 20, 1913.

ORDER: It is hereby ordered that James D. Maher be appointed clerk of this court in the place of James H. McKenney, deceased, and that he forthwith take the oath of office and give bond conditioned according to law.

The Chief Justice then said:

In entering the order appointing a clerk because of the death of Mr. McKenney, the court is unwilling to let the occasion pass without making some note on its records of the character of the services rendered by Mr. McKenney to the court and the country for so long a time, and also without expressing for permanent record the sorrow which the members of the court feel at the loss which has been occasioned by the death of Mr. McKenney. Mr. McKenney became connected with the work of the court as far back as 1858, first as a junior clerk, then as acting

deputy, then, when the statute authorized it, as the deputy clerk; and finally, in 1880, upon the death of Mr. Middleton, he became clerk of the court. During all that long period of more than 50 years, with diligence, with fidelity, and with honor, he served the court and the country. The consolation at his loss to the court and the country is this: That no one can look over the period of time during which he served and consider the grave subjects with which the court dealt during that time, and with reference to which the clerk was called upon within his sphere of duty to act, and deny that the effect of those services so faithfully rendered redounded to the benefit of the people of the country and to the preservation of our constitutional system of government which remains as the safeguard of every right and the guaranty of the liberties of all. The consolation of those united to him by ties of kindred and personal affection is that they have the heritage of a long, virtuous, and well-spent life which, if contemplated in the light of faith, brings to them the assurance that its rectitude finds place on the minutes of that court of everlasting and infinite power to which all human conduct must come for ultimate judgment; and that that record affords ground for faith to believe that the one whose loss they deplore is gone to his everlasting reward.
